



Agricultural Land Preservation Program Howard County, Maryland



COMMERCIAL SOLAR FACILITIES

The purpose of this policy is to explain the process by which the Agricultural Land Preservation Board (ALPB) will review applications for a commercial solar facility (CSF) on land that is encumbered with a Howard County Agricultural Land Preservation Program (ALPP) easement. A CSF is a collection of photovoltaic solar panels that generate electrical power by harnessing radiant light from the sun. This policy was developed pursuant to Council Bill 59-2016 (CB 59-16), which allows a CSF of up to 75 acres in size on ALPP properties. The intent of CB 59-16 is to ensure that Howard County's farms remain economically viable into the future through diversification, to the benefit of both farmers and county residents. CB 59-16 requires the ALPB to provide advisory review of Conditional Use Petitions for CSFs prior to submission to the County. The ALPB is required to provide a recommendation as to whether a proposal meets the following criteria:

1. The siting of the CSF on the parcel or parcels supports the primary agricultural purpose of the easement property, or
2. The siting of the CSF on the parcel or parcels is an ancillary business, which supports the economic viability of the farm.

In order to fairly and consistently review CSF proposals, the ALPB developed standards of review to determine if each proposal meets one or both of the aforementioned criteria. The following policy outlines the ALPB review process and lists the standards developed by the ALPB to be applied during review of a CSF Conditional Use Petition.

POLICY: Upon submission of a CSF proposal, the ALPP Administrator will provide a technical analysis and ensure that all necessary information is available for the ALPB to review each criteria. The ALPP Administrator will present the project to the ALPB for consideration.

The ALPB will apply the following standards of review to the CSF Conditional Use Petition criteria:

1. In determining if the siting of the CSF supports the primary purpose of the agricultural preservation easement, the property residue must have a soils capability balance of 50% USDA Classes I-III and 66% USDA Classes I-IV.
2. In determining if the CSF is ancillary to the primary farming operation, the commercial solar operation must be equal or less than 34% of the property size. The commercial solar operational area is defined as the entire area of the CSF (including any equipment, spacing, structures or other uses that support the CSF) and any new roads that must be constructed in order to access the CSF. Existing roads being used to access the new facility are not included within the 34% operational area (i.e. existing dirt, gravel, or paved farm lanes).

Other standards the ALPB may consider include:

1. If possible, the prescribed landscape buffer should be placed within the 50 foot conditional use setback. Landscaping should only be required alongside public road frontage, and not along sidelines or the property interior. When present, existing vegetation should be used as a landscaped buffer (i.e. hedgerows, fencerows, trees, shrubs, etc.).
2. Placement of the CSF will respect existing environmental features.

3. In general, the facility should maintain the integrity and spirit of the Agricultural Land Preservation Program.

SUBMISSION REQUIREMENTS:

Petitioners must submit a supplementary Soil Classification Analysis Map and include the following:

1. The layout of the commercial solar operational area (defined above) zoomed out to the extent of the parcel boundary.
 - a. Label the size (in acres) of the commercial solar operational area, and the remaining balance of the parcel when it is removed from the original property.
 - b. Label any applicable access roads as to whether they are new or existing.
2. The soil classes within the property residue (after removal of the commercial solar operational area). Soils must be organized by Capability Classes I to IV, as outlined in the *Soil Survey of Howard County, Maryland*.

Petitioners must submit a supplementary Soil Classification Analysis Table and include the following:

1. Calculate and show the total percentage of the property residue containing USDA Soil Capability Classes I, II, & III, AND Classes I, II, III, & IV.
 - a. Include the acreage and percentage makeup of each class present within the property residue.
 - b. Include the total sum for Classes I, II, & III, AND Classes I, II, III, & IV.

Please refer to the Commercial Solar Facility Application Procedure and Checklist for additional information on how to submit a commercial solar facility request to the Board.

A Soil Conservation and Water Quality Plan, prepared by the Howard Soil Conservation District, is required for any ALPP property proposing to establish a CSF.

This Policy is applied exclusively to County agricultural preservation easement properties. For properties in the State agricultural preservation program, approval of a CSF is required by the Maryland Agricultural Land Preservation Foundation, which has different policies and requirements regarding renewable energy projects.

For More Information

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